

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

CLEOPHUS TRIBBLE,

Plaintiff,

v.

MEMPHIS CITY SCHOOLS,

Defendant.

No. 02-2949 M1/V

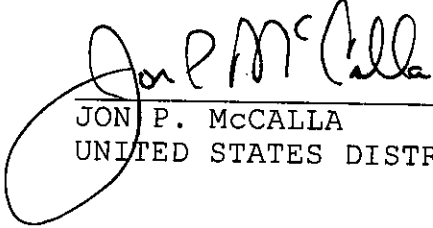
ORDER DENYING PLAINTIFF'S MOTION TO FILE DEPOSITIONS

Before the Court is Plaintiff's Motion and Memorandum to File Depositions, filed on November 1, 2005. Defendant responded in opposition on November 14, 2005.

Plaintiff filed a notice of appeal in this case on July 22, 2005. (Docket No. 56.) "[A] district court no longer has jurisdiction over an action as soon as a party files a notice of appeal, and at that point the appellate court assumes jurisdiction over the matter." Pitcock v. Otis Elevator Co., 8 F.3d 325, 327 (6th Cir. 1993) (citing Lewis v. Alexander, 987 F.2d 392, 394 (6th Cir. 1993)). None of the exceptions to this rule applies. Accordingly, the Court no longer has jurisdiction over this matter, and Plaintiff's motion is DENIED.

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So ORDERED this 16 day of November, 2005.



JON P. McCALLA
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 61 in case 2:02-CV-02949 was distributed by fax, mail, or direct printing on November 18, 2005 to the parties listed.

Cleophus Tribble
5403 Autumn Brook Drive
Memphis, TN 38141

Michael R. Marshall
STOKES BARTHOLOMEW EVANS & PETREE, P.A.
1000 Ridgeway Loop Rd.
Ste. 200
Memphis, TN 38120

Peggy J. Lee
LEE LAW FIRM
147 Jefferson
Ste. 406
Memphis, TN 38103

Ernest G. Kelly
STOKES BARTHOLOMEW EVANS & PETREE, P.A.
1000 Ridgeway Loop Rd.
Ste. 200
Memphis, TN 38120

Prince C. Chambliss
STOKES BARTHOLOMEW EVANS & PETREE, P.A.
1000 Ridgeway Loop Rd.
Ste. 200
Memphis, TN 38120

Honorable Jon McCalla
US DISTRICT COURT